

Peter Szanto 949-887-2369
11 Shore Pine
Newport Beach CA 92657

U.S. BANKRUPTCY COURT

DISTRICT OF OREGON

1001 SW 5th Ave #700 Portland, OR 97204 (503) 326-1500

In Re: Peter Szanto, Debtor

Peter Szanto, Defendant

vs,

Evye Szanto, et al,
Plaintiffs

Adversarial # 16-ap-3114

core case:16-bk-33185-pcm7

Peter Szanto's Notice of Motion

and Motion for Leave to Redact

2 Minor Portions of Medical

Facility Letter to Court

1. Plaintiff's Certification Relating to Pre-filing Conferral
(Certification Pursuant to LBR 7007-1 (a))

On July 23, 2019 Debtor sought conferral with Mr. Henderson regarding the matters herein.

Debtor's calls went to voice mail or message taking secretaries. Debtor stated that he was asking for a return phone call to discuss very important court matters related directly to trial in the instant case. Debtor sought actually to speak with counsel, or one of the \$300,000 per-year para-legals at Mr. Henderson's law firm. Because of the

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grave and urgent importance of the matters herein, Debtor emphasized the need for speedy response. Since those calls made by Debtor, no counsel nor para-legal has called, nor even tried to call Debtor.

Therefore, pursuant to rule LBR 7007-1 (a), Debtor has sought conferral so as to resolve the issues to be presented here, but has been unsuccessful in resolution of the matter at issue.

I certify under penalty of perjury under the laws of the United States, that the foregoing is true and correct. Signed at Irvine CA.

DATED July 24, 2019 /s/ *Signed electronically* Peter Szanto

2. NOTICE PER LBR 9013-1(b)

Notice!!! If you oppose the proposed course of action or relief sought in this motion, you must file a written objection with the bankruptcy court no later than 14 days after the date listed in the certificate of service below. If you do not file an objection, the court may grant the motion without further notice or hearing. Your objection must set forth the specific grounds for objection and your relation to the case. The objection must be received by the clerk of court at ** 1050 SW 6th Ave – Room #700 Portland OR 97204 **** by the deadline specified above or it may not be considered. You must also serve the objection on Peter Szanto at 11 Shore Pine, Newport Beach CA 92657 within that same time. If the court sets a hearing, you will receive a separate notice listing the hearing date, time, and other relevant information.**

3. Notice

To the Court, Victor Szanto, Anthony Szanto, Barbara Alexander the other parties to this action and their counsels. Please take **notice**, comes now Debtor seeking leave of Court to redact certain portions of his medical facility's letter to the Court.

4. Facts

The Court instructed Debtor to procure a letter regarding Debtor's inability to prepare for trial. The staff of Debtor's medical facility, Debtor's physicians and surgeons and the legal department of the University of California crafted said letter.

The letter is complete and ready to be filed with this Court. However, the letter includes Debtor's **medical record number** and Debtor's **birthdate**. Debtor would ask leave to mask those 2 items, because they contain personal private information which is **not relevant** to the content of the letter. None of the pertinent content related to trial preparation will be affected thereby.

5. MEMORANDUM

a. Inherent Power of the Court

11 USC 105(a) provides: "The court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title."

1 Application of §105's broad power is properly applicable here to
2 redact minor portions of a letter to be filed with this Court, because the 2
3 items to be redacted are irrelevant to the content of the letter.
4

5
6 **6. Declaration of Peter Szanto**
7

- 8 1. My name is Peter Szanto and this is my truthful declaration.
9 2. I verify that all of the statements made in this application are true of
10 my own personal knowledge or are based on sources and evidence
11 which I believe to be true.
12 3. The letter requested by the Court regarding my inability to prepare
13 for trial has been completed.
14 4. My medical record number and my birthdate are contained in that
15 letter.
16 5. Masking those 2 numbers will not affect the content of the letter
17 in any way.
18

19
20 I declare under penalty of perjury under the laws of the United
21 States the foregoing is true and correct. Signed at Irvine CA.
22

23
24
25 DATED 24 July 2019 /s/*signed electronically* Peter Szanto
26
27
28

7. Conclusion

Debtor prays leave to mask his medical record number and birth date from a letter whose content will not be altered by 2 small redactions.

This request is not a luxury, but rather a necessity so that Debtor's privacy and the security of his medical records will not be compromised.

Respectfully,

DATED 24 July 2019 /s/*signed electronically* Peter Szanto

PROOF OF SERVICE

My name is Maquisha Reynolds, I am over 21 years of age and not a party to the within action. My business address is PO Box 14894, Irvine CA 92623

On the date indicated below, I personally served the within: **Motion** on the following by placing the within document in postage pre-paid envelope addressed as:

Nicholas J. Henderson
Troy G. Sexton
c/o
Motschenbacher & Blattner, LLP
117 SW Taylor St., Suite 300
Portland, OR 97204

and by mailing copies to the above parties *via* 1st class mail, postage prepaid.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Signed at Irvine CA.

24 July 2019 /s/signed electronically M. Reynolds